

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**VINCENT E. FOSCATO, et al.,**

**Plaintiffs,**

**v.**

**Case No.: 2:21-cv-4240-MDH**

**CHAPARRAL BOATS, INC., et al.,**

**Defendants.**

**ORDER**

Before the Court is Plaintiffs' Motion to Limit Summary Judgment Briefing and Deny Without Prejudice Defendants' Serial Motions for Summary Judgment. (Doc. 165).

As set forth in Plaintiffs' motion defendant Chaparral Boats and defendant Xtreme Marine Corporation each filed five separate summary judgment motions. See Doc. Nos. 145-64. The Court has reviewed the motions and agrees many of these motions address overlapping and duplicative issues both between Defendants' motions and also within each of the five motions filed by each Defendant.

The Court finds these motions to be inefficient, unduly burdensome, and makes the Court's review of the issues presented more complex and unnecessarily more difficult. Beyond this, taken as a whole, both Defendants' summary judgment briefing exceeds the page limitation set forth by the Court's rules (despite the parties' attempt to divide the pages among five different motions to appear to stay under the page limitation).

As a result, the Court denies without prejudice the motions filed by Defendants. (Docs. 145, 147, 149, 151, 153, 155, 157, 159, 161, and 163). Defendant Chaparral and Defendant Xtreme Marine may each separately file one motion for summary judgment setting forth any and

all arguments they wish to present to the Court. The Court grants each Defendant leave to file up to and including 45 pages in their supporting suggestions. Exhibits, signature blocks, certificates of service, and statements of fact do not count toward these page limitations. See Local Rule 7.0 (d). Further, the parties are reminded that suggestions exceeding 10 pages must have a table of contents and table of authorities, which do not count toward these page limitations.

Defendants shall file their summary judgment motion within 20 days of the date of this Order.

**IT IS SO ORDERED.**

Date: March 31, 2023

/s/ Douglas Harpool  
Douglas Harpool  
United States District Judge